

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RAMON JAQUEZ, *on behalf of himself
and all others similarly situated,*

Plaintiffs,

-v.-

BRILLIANT HOME TECHNOLOGY,
INC.,

Defendant.

20 Civ. 9855 (KPF)

ORDER

KATHERINE POLK FAILLA, District Judge:

On October 27, 2021, the Court granted defense counsel's motion for leave to withdraw as counsel in this matter because of defense counsel's protracted inability to contact its client and Defendant's persistent unresponsiveness. (Dkt. #22). In this same Order, the Court directed Defendant to retain new counsel on or before November 29, 2021, and that if Defendant failed to do so, it must show cause, in writing, on or before December 1, 2021, why a default judgment should not be entered against Defendant for failure to comply with the Court's orders. (*Id.*). These dates have passed, without any indication from Defendant of its intent to retain new counsel or any written submission related to the same.

Therefore, the Court finds Defendant to have defaulted and enters default judgment against Defendant. Accepting all allegations in Plaintiff's Complaint as true, the Court also finds Defendant liable to Plaintiff for violations of the Americans with Disabilities Act and the New York City Human Rights Law. The only remaining issue is thus a determination of damages.

The Court will refer this matter to a magistrate judge for an inquest under separate cover.

SO ORDERED.

Dated: December 2, 2021
New York, New York

A handwritten signature in blue ink, reading "Katherine Polk Faila".

KATHERINE POLK FAILLA
United States District Judge